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REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1 and 4-12 remain in the application. Claims 2-3 have been previously cancelled.

In item 4 on page 2 of the above-identified Office Action, claims 1-9 and 11 have been rejected as being unpatentable over Suzuki (US 6,499,096 B1) in view of Kahle et al. (US 5,913,925) and in further view of Heishi et al. (US 6,324,639) under 35 U.S.C. § 103(a).

In item 17 on page 9 of the above-identified Office Action, claim 12 has been rejected as being unpatentable over Suzuki in view of Kahle and in further view of Heishi et al. and further in view of Allen, Jr. et al. (US 6,404,752) under 35 U.S.C. § 103(a).

As will be explained below, it is believed that the claims were patentable over the cited art in their original form and the claims have, therefore, not been amended to overcome the references.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, inter alia:

> an instruction output selector being connected to and
> controlled by said process flow control unit causing said
> instruction output selector to read out instructions from
> said instruction buffers and output N instructions in
> parallel, said instruction output selector having a
> <u>multiplexer logic and selecting in a first case one of</u>
> <u>either one instruction from a first instruction buffer</u>
> <u>and one instruction from a second instruction buffer and</u>
> <u>in a second case two instructions from one of said first</u>
> <u>and second instruction buffers.</u>

The Examiner has admitted that Suzuki does not explicitly

teach that the instruction output selector having a

multiplexer logic selects in a first case one of either one

instruction from a first instruction buffer and one

instruction from a second instruction buffer and in a second

case two instructions from one of the first and second

instruction buffers. However, the Examiner has stated that

Heishi et al. explicitly teach the instruction output

multiplexer for selecting the instructions according to the

first case and the second case.

Heishi et al. show in Fig. 8 two instruction buffers A (221)

and B (222), which are provided with instructions from an

instruction unit 21 (see column 13, lines 19-27). The

transfer order corresponds to the order in which packets are

transferred from the instruction fetch unit 21 to the

instruction buffer (see column 13, lines 28-31). Along with

Figs. 9a-9f and 10a-10f, Heishi et al. teach a transfer from the instruction buffers to the instruction register 23. The order of the instructions stored in the buffers A0-B2 is maintained when they are transferred to the instruction register 23 (see column 14, lines 30-37).

The buffers A and B of Heishi et al. might be identified with the first instruction buffer and the second instruction buffer of the invention of the instant application. It should be possible to transfer two instructions from the buffer B before an instruction from the buffer A is transferred. However, Heishi et al. only disclose that the instructions are transferred in the order they are provided by the instruction fetch unit 21. Thus, it becomes evident that the multiplexer logic according to Heishi et al. does not provide all features of the multiplexer logic according to the invention of the instant application.

Other cited prior art references do not make up for the deficiencies of Suzuki and Heishi et al.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1. Claim 1 is, therefore, believed to be patentable over the art and since

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Amdt. Dated February 28, 2006
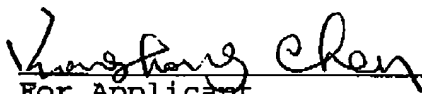Reply to Office action of December 29, 2005

all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1 and 4-12 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made. Please charge any fees which might be due with respect to 37 CFR Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,

Yonghong Chen
Reg. No. 56,150

For Applicant

YC

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Lerner and Greenberg, P.A.
Post Office Box 2480
Hollywood, FL 33022-2480
Tel: (954) 925-1100
Fax: (954) 925-1101

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